

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JAI DEVON LEE,

Petitioner,

V.

AMANDA REED, *et al.*,

Respondents.

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NO. 5:23-cv-00314-CAR-CHW

ORDER OF DISMISSAL

Petitioner Jai Devon Lee, who is currently being held in the Butts County Detention Center in Jackson, Georgia, filed a handwritten document, which was docketed in this Court as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Pet. for Writ of Habeas Corpus, ECF No. 1. Petitioner also filed a handwritten motion for leave to proceed in this case *in forma pauperis*. Mot. for Leave to Proceed *In Forma Pauperis*, ECF No. 2. Neither the petition nor the motion to proceed *in forma pauperis* was on the required form. *See id.*

Accordingly, Petitioner was ordered to recast his petition on the § 2241 form and to file a proper and complete motion to proceed *in forma pauperis* if he wanted to proceed with this action. Order to Recast, ECF No. 4. Petitioner was given fourteen days to file his recast petition and motion to proceed *in forma pauperis* and was cautioned that his failure to do so may result in the dismissal of his petition. *Id.*

More than fourteen days passed following entry of that order, and Petitioner did not take any of the steps outlined in the order or otherwise respond to the order. Therefore, Petitioner was ordered to respond and show cause why the case should not be dismissed based on his failure to comply. Order to Show Cause, ECF No. 5. Petitioner was given

fourteen days to respond and was cautioned that his failure to do so would result in the dismissal of this case. *Id.*

More than fourteen days have now passed since the show cause order was entered, and Petitioner has not responded to that order. Thus, because Petitioner has failed to respond to the Court's orders or otherwise prosecute his case, this action is **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 20th day of December, 2023.

s/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT